



Docket:

2100 CON

(203-2407 CON)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Lee Gines

Serial No.:

To Be Assigned

Examiner:

Unknown

Filed:

Concurrently Herewith

Group Art Unit:

Unknown

For:

ELECTROSURGICAL GENERATOR WITH ADAPTIVE POWER CONTROL

#### APPLICATION TRANSMITTAL LETTER

Asst. Commissioner For Patents Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the [x] utility  $[\ ]$  design patent application in this case including:

- 1. [X] This application is a [X] Continuation; [] Divisional [] Continuation in Part of prior application Serial No. 08/838,548 filed on April 9, 1997 [entire genealogy should be set forth].
- 2. [] This application claims priority from Provisional Application No. \_\_\_\_\_\_, filed .
- 3. [X] The application consisting of 19 pages (including specification, claims and abstract).
- 4. [X] 11 sheet(s) of drawings is enclosed. The drawings are:
  - a. [] formal; or
  - b. [X] informal; formal drawings will be submitted in due course.
- 5. [X] The prior application is assigned of record to <u>Valleylab</u>, <u>Inc.</u>, recorded on <u>April 9, 1997</u> at Reel <u>8505</u>, Frame <u>0830</u>.
- 6. [X] The Declaration and Power of Attorney document was previously filed in the prior application serial no. 08/838,548, filed on April 9, 1997, a copy is enclosed.
- 6. [X] The current power of attorney is to: JOHN C. ANDRES, Reg. No. 30,931; NEIL D. GERSHON, Reg. No. 32,225; BASAM E. NABULSI, Reg. No. 31,645; MARK FARBER, Reg. No. 34,159; NEIL Y. GILBERT, Reg. No. 35,156; and CAROLYN H. BLANKENSHIP, Reg. No. 35,449; each of them of United States Surgical Corporation, 150 Glover Avenue, Norwalk, Connecticut 06856.



PETER G. DILWORTH, Reg. No. 26,450; ROCCO S. BARRESE, Reg. No. 25,253; DAVID M. CARTER, Reg. No. 30,949; PAUL J. FARRELL, Reg. No. 33,494; PETER DELUCA, Reg. 32,978; ADRIAN T. CALDERONE, Reg. No. 31,746; GEORGE M. KAPLAN, Reg. No. 28,375; JEFFREY S. STEEN, Reg. No. 32,063; JOSEPH W. SCHMIDT, Reg. No. 36,920; RAYMOND E. FARRELL, Reg. No. 34,816; RUSSELL R. KASSNER, Reg. No. 36,183; FRANK CHAU, Reg. No. 34,136; CHRISTOPHER G. TRAINOR, Reg. No. 39,517; GEORGE LIKOUREZOS, Reg. No. 40,067; JAMES M. LOEFFLER, Reg. No. 37,873; WILLIAM E. LEWIS, Reg. No. 39,274, JOHN G. TUTUNJIAN, Reg. No. 39,405; JAMES J. BITETTO, Reg. No. 40,513; and MARK S. LEONARDO, Reg. No. 41,433, each of them of DILWORTH & BARRESE, 333 Earle Ovington Boulevard, Uniondale, New York 11553.

The power of attorney is of record in U.S. Application Serial No. 08/838,548 filed on April 9, 1997, a copy is enclosed.

7. [X] The Application filing fee is calculated below.

No. Filed						No. Extra*		Rate:		Fee	
Basic Total Indep	Claim		- -	20	= =	0			22.00 82.00	\$ \$ \$	790.00 -0- 82.00
[ ] Multiple Dependent Claims Presented + \$3										\$_	0.00
							5	тоти	AL:	\$	872.00
9.	[X] Please charge Deposit Account No. 21-0550 in the amount of \$872.00 which includes filing fee and recordation fee). TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.										
10.	[X]	The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account									

No. 21-0550. TWO DUPLICATE COPIES OF THIS SHEET ARE

Respectfully submitted,

Date: 11 11 98

Neil D. Gershon Reg. No. 32,225

Attorney for Applicant

United States Surgical Corp. 150 Glover Avenue Norwalk, Connecticut 06856 (203) 845-1480

ENCLOSED.



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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David Lee Gines

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Group Art Unit:

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For:

**ELECTROSURGICAL GENERATOR** WITH ADAPTIVE POWER CONTROL

#### **CERTIFICATE OF EXPRESS MAILING**

"Express Mail" Mailing Label No.: EH979233658US Date of Deposit: December // , 1998

I hereby certify that the following:

This Certificate of Express Mailing

Request for filing a Continuation Application Transmittal letter

A patent application consisting of 19 pages [X]

of abstract, specification and claims

Declaration and Power of Attorney for patent application as originally filed.

11 sheets of [] formal [x] informal drawings

Information Disclosure Statement

PTO Form 1449

Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR Section 1.10 on the Date of Deposit indicated above in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231.

UNITED STATES SURGICAL CORPORATION 150 Glover Avenue Norwalk, CT 06856 (203) 845-4603

Docket No. PC9743

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David L. Gines

Serial No.: 08/838,548

A.

Filed: 04/09/97

For: Electrosurgical Generator With Adaptive Power Control

Asst. Commissioner for Patents Washington, D.C. 20231

## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Valleylab Inc, acting herein by Richard Granger, President, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

[x] An assignment from the inventor(s) of the patent application identified above.

The assignment was recorded in the Patent and Trademark Office at Reel 8505,

or

B. [] A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. \_\_\_\_\_\_\_ to \_\_\_\_\_\_
by document recorded at Reel \_\_\_\_\_\_, Frame \_\_\_\_\_\_

2. \_\_\_\_\_\_ to \_\_\_\_\_
by document recorded at Reel \_\_\_\_\_\_, Frame \_\_\_\_\_\_.

[] Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

VALLEYLAB INC

Date: 3/9/58

Richard Granger

President